

# **EXHIBIT 1**

## **Proposed Order**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

YUGA LABS, INC.,

Plaintiff and  
Counterclaim Defendant,

v.

RYDER RIPPS and JEREMY CAHEN,

Defendants and  
Counterclaim Plaintiffs.

Case No.: 2:23-cv-00010-APG-NJK

[USDC, Central District of California  
Civil Case No. 2:22-cv-4355-JFW-JEM]

**(PROPOSED) ORDER GRANTING  
YUGA LABS, INC.'S MOTION TO  
COMPEL NON-PARTY RYAN  
HICKMAN'S COMPLIANCE WITH  
SUBPOENA AND MOTION TO REDACT  
AND SEAL PORTIONS OF MOTION TO  
COMPEL AND DECLARATION OF  
KIMBERLY CULP IN SUPPORT  
THEREOF**

**[PROPOSED] ORDER**

Before this Court is Yuga Labs, Inc.'s Motion to Compel Non-Party Ryan Hickman's Compliance with Subpoena, Motion to Redact and Seal Portions of its Motion to Compel and Declaration of Kimberly Culp in Support Thereof, and Notice of Non-Opposition to Motion to Compel Non-Party Ryan Hickman's Compliance with Subpoena ("Motions"). Mr. Hickman failed to file oppositions to Yuga Labs' Motions in the time period required by Civil Local Rule 7-2(b) and Federal Rule of Civil Procedure 6(d). Mr. Hickman's failure to respond constitutes a consent to the granting of Yuga Labs' Motions. *See* L.R. 7-2(d). Yuga Labs' Motions are also supported by law and fact.

(PROPOSED) ORDER GRANTING MOTION TO  
COMPEL COMPLIANCE WITH SUBPOENA AND  
MOTION TO REDACT & SEAL PORTIONS OF  
MOTION TO COMPEL

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1           Accordingly, for good cause showing, the Court GRANTS Yuga Labs' Motions as  
2 follows:

- 3       1. Within ten (10) days of entry of this Order, Ryan Hickman shall conduct a  
4           reasonable search for and produce in their native format to extent such  
5           documents exist (or represent under oath and in writing that none exist):
  - 6           a. Discord communications from January 2022 to present related to  
7              RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or  
8              Yuga Labs, including but not limited to the private channel with  
9              Thomas Lehman ("Lehman") and the private channel with Defendant  
10             Cahen ("Cahen");
  - 11           b. Email communications from January 2022 to present related to  
12              RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or  
13              Yuga Labs, including but not limited to emails from Defendant Ripps  
14              ("Ripps"), Lehman, and OpenSea;
  - 15           c. Non-public Twitter communications from January 2022 to present  
16              related to RR/BAYC NFTs (which includes Ape Market), BAYC  
17              NFTs, and/or Yuga Labs, including but not limited to private Twitter  
18              direct messages with Cahen, Ripps, Lehman, and third parties;
  - 19           d. Text or SMS communications from January 2022 to present related to  
20              RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or  
21              Yuga Labs, including but not limited to text messages with Lehman,  
22              text messages with Ripps from August 2022, and text messages with  
23              Cahen concerning this Litigation;
  - 24           e. Documents concerning RR/BAYC NFTs (which includes Ape Market),  
25              BAYC NFTs, and/or Yuga Labs, including but not limited to those  
26              stored on Google Drive and any promotional and/or design materials  
27              for Ape Market.

2. Within fifteen (15) days of entry of this Order, Ryan Hickman shall meet and confer with counsel for Yuga Labs on the date for a second deposition to occur no later than March 10, 2023 and to last no longer than two (2) hours on the record;
3. Ryan Hickman shall be sanctioned for failing without adequate excuse to obey the November Subpoena and ordered to pay Yuga Labs' reasonable attorneys' fees and costs in connection with the Motion to Compel. Yuga Labs shall submit its fee request within ten (10) days of entry of this Order.
4. Portions of Yuga Labs' Motion to Compel and Declaration of Kimberly Culp that quote and/or reference information that has been designated as "CONFIDENTIAL" under the Protective Order entered on October 11, 2022 (ECF No. 51) shall be redacted and Exhibit P shall be sealed. This information shall remain sealed until further order of this Court.

## IT IS SO ORDERED.

Dated:

The Honorable Andrew P. Gordon  
United States District Court Judge  
District of Nevada